

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: TXT-36169 - APPLICANT/OWNER: CITY OF LAS VEGAS**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION:**      **APPROVAL**, subject to:

1. Title 19.06.120 "Downtown Entertainment Overlay District" is hereby amended as follows:

D.      Parking Requirements

~~For any banquet facility, restaurant, café, tavern, bar, supper club, billiard parlor, nightclub/discotheque, general retail store or video arcade that is approved by means of Special Use Permit or otherwise for a parcel located within the District, the on-site parking requirements set forth in Chapter 19.10 shall not apply. The Special Use Permit or other approval may include conditions designed to mitigate any impacts related to parking. All parking requirements shall be pursuant to Title 19.06.060.~~

**TXT-36169 - Staff Report Page One**  
**October 22, 2009 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request to amend Title 19.06.120 to clarify references to parking requirements within the Downtown Entertainment Overlay District.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
10/02/02	The City Council adopted Ordinance #5521 to establish the Downtown Overlay District and corresponding regulatory provisions; to establish a tavern-limited liquor license pertaining to the district.
03/04/09	The City Council adopted Ordinance #6030 to amend Title 19.06, "Special Purpose and Overlay Districts," to update the design review process for the Downtown Casino, Downtown Entertainment and Scenic Byway Overlay Districts. Planning Commission and staff recommended approval (TXT-31878).

**ANALYSIS**

The proposed amendment will clarify the parking requirements for property in the Downtown Entertainment Overlay District. The Entertainment Overlay District is bound by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8<sup>th</sup> Street on the east. These boundaries are within the Downtown Overlay District, which is coterminous with the boundaries of the Las Vegas Downtown Centennial Plan.

The existing parking requirement language in Title 19.06.120 has resulted in confusion and questions as it lists specific uses and Special Use Permit considerations. This has created a conflict with the applicability of the Downtown Overlay District parking standards, which are the correct standards to follow. These standards are the following: *properties within the Downtown Overlay District standards are exempt from the automatic application ... of the standard parking requirements... in Chapter 19.12. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan.*

This amendment proposes to delete the confusing text and clearly state and reference that parking standards in the Entertainment Overlay District shall be pursuant to Title 19.06.060-Downtown Overlay District standards.

**TXT-36169 - Staff Report Page Two**  
**October 22, 2009 - Planning Commission Meeting**

**FINDINGS**

The proposed text amendment will achieve the following:

- Amend Title 19.06.120 to clarify references to parking requirements within the Downtown Entertainment Overlay District.

The following table summarizes all proposed changes:

<b>Code Requirements</b>	<b>Existing Regulations</b>	<b>Proposed Regulations</b>
Title 19.06.120 – Downtown Entertainment Overlay	<ul style="list-style-type: none"> <li>• Confusing</li> </ul>	<ul style="list-style-type: none"> <li>• Clarify reference to Title 19.06.060 Downtown Overlay Standards for parking requirements.</li> </ul>

**NOTICES MAILED**

NEWSPAPER ONLY

**APPROVALS**

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**PROTESTS**

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